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 (erroneously sued as "Bank of America")

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

RICHARD ADAME, CONNIE G.
 BENDER, and CONSTANCE DAVIS

Plaintiff,

v.

BANK OF AMERICA, NATIONAL
 ASSOCIATION (erroneously sued as
 "Bank of America")

Defendant.

Case No. CV 09-0129 SI

**STIPULATED REQUEST TO CHANGE
 TIME PURSUANT TO CIVIL L.R. 6-2 AND
 PROPOSED ORDER; DECLARATION OF
 PATRICIA K. GILLETTE IN SUPPORT OF
 SAME**

Judge: Hon. Susan Illston

STIPULATION

1. Pursuant to Civil Local Rule 6-2, the parties hereto through their respective attorneys of record hereby stipulate and agree to continue the Case Management Conference (“CMC”) in this matter until June 12, 2009 or as soon as practicable thereafter as the availability of the Court’s calendar permits.

2. The parties also stipulate and agree to continue the dates in the initial scheduling order to correspond to the new CMC date as follows:

May, 22, 2009, will be the last day to: Meet and confer re: initial disclosures, early settlement, ADR process selection, and discovery plan; File ADR Certification signed by Parties and Counsel; File either Stipulation to ADR Process or Notice of Need for ADR Phone Conference.

June 5, 2009, will be the last day to: File Rule 26(f) Report, complete initial disclosures or state objection in Rule 26(f) Report and file Case Management Statement per attached Standing Order re Contents of Joint Case Management Statement.

3. Both parties agree to the stipulation as indicated by their signatures below. The parties respectfully request that the Court approve the Stipulation, pursuant to Civil L.R. 6-2 and enter an Order thereupon. A form of proposed Order is filed herewith.

The parties make this stipulated request based on the facts set forth in the attached declaration of Patricia K. Gillette.

Respectfully submitted,

Dated: March 20, 2009

J. GARY GWILLIAM
RANDALL E. STRAUSS
GWILLIAM, IVARY, CHIOSSO, CAVALLI &
BREWER

By: /s/Randall E. Strauss
 Randall E. Strauss
 Attorneys for Plaintiffs
 Richard Adame, Connie G. Bender
 and Constance Davis

Dated: March 20, 2009

PATRICIA K. GILLETTE
KATINA B. MINER
ORRICK, HERRINGTON & SUTCLIFFE LLP

By: /s/ Patrick K. Gillette
Patricia K. Gillette
Attorneys for Defendant
Bank of America, National Association

Orrick attests that concurrence in the filing of the document has been obtained from the other signatory,
which shall serve in lieu of their signature on the document.

ORDER

The Court having considered the above Stipulation, and good cause appearing therefore,
IT IS HEREBY ORDERED that the scheduled CMC date of May 1, 2009 is vacated, and
shall be rescheduled for 6/12/09, 2009 at 2:30 p.m..

Hon. Susan Illston



UNITED STATES DISTRICT JUDGE

DECLARATION OF PATRICIA K. GILLETTE

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3 1. I am a partner at the law firm of Orrick, Herrington & Sutcliffe LLP, counsel of
4 record for Defendant Bank of America, National Association ("Defendant"). I make this declaration out
5 of my own personal knowledge and, if called as a witness, I could and would testify competently to the
6 matters set forth herein.

7 2. The parties make this stipulated request to change time because lead trial counsel
8 for Defendant has a previously scheduled commitment out of state on May 1, 2009.

9 3. On February 4, 2009, the parties filed a Stipulation Re Extension of Time to
10 Respond to Complaint.

11 4. On February 20, 2009, the parties filed a Stipulation and [Proposed] Order
12 Granting Plaintiff's Leave to File First Amended Complaint.

13 5. On February 24, 2009, this court entered an Order Granting Leave to Amend
14 Within 15 Days.

15 6. The initial Case Management Conference was scheduled for April 23, 2009, with
16 the Honorable Maria-Elena James. On February 25, 2009, the Case Management Conference was re-
17 scheduled for May 1, 2009, after reassignment to the Honorable Susan Illston.

18 7. The continuance of the CMC should not have any noticeable effect on the
19 progress of the case.

20 Executed this 20th day of March 2009 in San Francisco, California. I declare under
21 penalty of perjury of the laws of the United States that the foregoing is true and correct.

22
23 /s/ Patricia K. Gillette

24 Patricia K. Gillette